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500.34077CC3 / E2063-04EN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: MAKI, et al.

Serial No.: 09/900,144

Filed: July 9, 2001

For: OPTICAL SYSTEM FOR MEASURING METABOLISM IN
A BODY AND IMAGING METHOD

Group: 3737

Examiner: E. Mercader

Conf. No.: 6500

**REQUEST FOR CONSIDERATION OF OUTSTANDING
INFORMATION DISCLOSURE STATEMENT ISSUES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

10 April 2006

Sir:

In the matter of the above-identified application, Applicant respectfully requests Examiner's consideration of the following outstanding IDS issues:

Provided herewith are copies of pages of Forms PTO-1449 and/or SB/08 from Applicant's recent 22 February 2006 IDS and 02 March 2006 IDS, as well as USPTO-date-stamped return receipt postcards evidencing the filing of such IDSs. The Examiner has **NOT** yet initialed off on consideration of such references. Copies of appropriate ones of the listed references were previously provided with the original filings of the IDSs. Examiner initialing with respect to such references is respectfully requested.

Provided herewith is a copy of two (2) pages of Forms PTO-1449 from

Applicant's 09 July 2001 IDS. Regarding the first 1449 page (totally filled with reference citations), the Examiner has previously initialed off on consideration of such references, but final review of the file for this application has revealed three (3) typographical errors in reference numbers. The provided duplicate copy of the initialed 1449 sheet shows hand-marked and circled corrections. Examiner re-initialing with respect to the corrected references is respectfully requested. Regarding the second 1449 page, the Examiner has **NOT** yet initialed off on consideration of such references. Copies of the correct listed references were previously provided with the original 09 July 2001 filing of the IDS. Examiner initialing with respect to such references is respectfully requested.

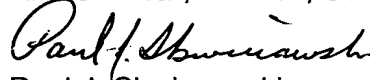
Enclosed is an SB/08 form listing several references found to be references equivalent of references having already been previously considered (i.e., Examiner initialed off on) and/or previously submitted. More particularly, listed reference US 5,517,987 is an equivalent of JP-A-07-049304 (already initialed), and JP-A-7-507472 (copy enclosed) is an equivalent of WO 93/25141 (already initialed). Listed reference JP-A-04-502118 (copy enclosed) is an equivalent of US 6,210,346 (already submitted). Examiner initialing with respect to such references is respectfully requested.

Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case No. 500.34077CC3), and please credit any excess fees to such deposit

account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Paul J. Skwierawski

Registration No. 32,173

PJS/
(703) 312-6600

Attachments:

Copy of PTO-1449 from 22 February 2006 IDS (copy of postcard receipt)

Copy of PTO-1449 from 02 March 2006 IDS (copy of postcard receipt)

Page 1 (hand-corrected) of Form PTO-1449 for 09 July 2001 IDS

Page 2 of Form PTO-1449 for 09 July 2001 IDS

SB/08 form (listing US 5,517,987 and JP-A-7-507472)

Copy of JP-A-7-507472

Copy of JP-A-04-502118



Form PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	ATTY. DKT. NO. 500.34077CC3	SERIAL NO. 09/900,144
	APPLICANT MAKI, et al.	
	FILING DATE July 9, 2001	GROUP 3737

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date
AA	6,210,346	4-3-01	Hall, et al.			
AB	5,137,355	8-11-92	Barbour, et al.			
AC						
AD						
AE						
AF						
AG						
AH						
AI						
AJ						
AK						
AL						

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Country	Class	Subclass	Translation /Abstract	
						Yes	No
AM	5-103774	4-27-93	Japan			X	
AN	5-86304	11-22-93	Japan			X	
AO	94/10901	5-26-94	WO			X	
AP							
AQ							
AR							
AS							
AT							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

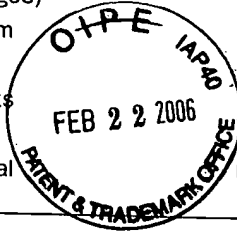
AU	
AV	
AW	
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AZ	
Examiner	Date Considered

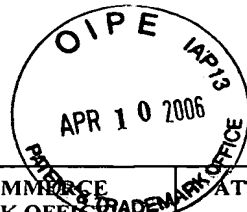


Patent Dkt. No. 500.34077CC3 Attorney Initials PJS
Application No. 09/900,144 Filing Date July 9, 2001
Applicant(s) MAKI, et al.
Papers Filed Herewith on February 22, 2006

Receipt is hereby acknowledged of the papers filed as indicated by the checked items in connection with the above-identified application:

- New Application Transmittal Form
- Pages of Specification (claims) Fees \$ 180.00
- Sheets of Drawings
- Declaration (pages)
- Fee Transmittal Form
- Claim for Priority
 - Priority Documents
- Assignment Papers
- Issue Fee Transmittal
- Other _____
- Credit Card Payment Form
- Amendment
- Response to Office Action
- Petition for Extension of Time (mos.)
- Information Disclosure Statement
- PTO-1449 Copies of References
- Revised Drawings (sheets)
- Notice of Appeal





Form PTO-1449 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DKT. NO. 500.34077CC3	SERIAL NO. 09/900,144
	APPLICANT MAKI, et al.		
	FILING DATE July 9, 2001	GROUP 3737	

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date
AA	4,736,751	04-1998	Gevins, et al.			
AB	5,321,265	06-1994	M. Block			
AC	5,396,571	03-1995	Saadatmanesh, et al.			
AD	5,291,888	03-1994	D. Tucker			
AE	5,954,053	09-1999	Chance, et al.			
AF						
AG						
AH						
AI						
AJ						
AK						
AL						

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Country	Class	Subclass	Translation /Abstract	
						Yes	No
AM							
AN							
AO							
AP							
AQ							
AR							
AS							
AT							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AU	
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AW	
AX	
AY	
AZ	
Examiner	Date Considered



Patent Dkt. No. 500.34077CC3 Attorney Initials PJS

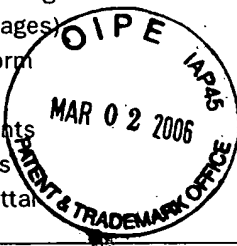
Application No. 09/900,144 Filing Date July 9, 2001

Applicant(s) MAKI, et al.

Papers Filed Herewith on March 2, 2006

Receipt is hereby acknowledged of the papers filed as indicated by the checked items in connection with the above-identified application:

- New Application Transmittal Form
- Credit Card Payment Form
- Pages of Specification (claims) Fees \$ 180.00
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- Petition for Extension of Time (mos.)
- Claim for Priority
- Information Disclosure Statement - Suppl.
- Priority Documents
- PTO-1449
- Copies of References
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- Revised Drawings (sheets)
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- Notice of Appeal
- Other _____



PTO-1449 U.S. Department of Commerce
 Patent and Trademark Office
 (Rev. 4/92)

ATTY. DOCKET NO.
 500.34077CC3

SERIAL NO.
 §53(b) of 09/203,610

**INFORMATION DISCLOSURE
 STATEMENT BY APPLICANT**


(Use several sheets if necessary)

APPLICANTS
 Atsushi MAKI *et al.*

FILING DATE
 6 July 2001

GROUP
 Unassigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER								DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
EJL	5	5	5	1	4	2	2	09/96	Simonsen <i>et al.</i>				1996 U.S. PTO 09/900144 
	4	1	7	0	9	8	7	10/79	Anselmo <i>et al.</i>				
	4	2	8	1	4	4	5	08/81	Jöbssis				
	4	5	1	5	1	6	5	05/85	Carroll				
	5	0	8	8	4	9	3	02/92	Giannini <i>et al.</i>				
	5	0	9	0	4	1	5	02/92	Yamashita <i>et al.</i>				
	5	1	2	2	9	7	4	06/92	Chance				
	5	1	9	8	9	7	7	03/93	Salb				
	5	4	1	9	3	2	0	05/95	Kawaguchi <i>et al.</i>				
	5	5	8	6	6	7	3	10/96	Shiono <i>et al.</i>				
9/2	4	2	2	3	6	8	0	09/80	Jöbssis				

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER								DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO
EJL	63	-2	7	7	0	3	8	11/88	JP					
	60	-0	7	7	5	4	2	04/85	JP					
	62	-2	3	1	6	2	5	10/87	JP					
	5-	3	0	0	8	8	7	11/93	JP					
	55	-0	2	4	0	0	4	02/80	JP					
9/2	57	-1	1	5	2	3	2	07/82	JP					

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EJL	M. Dujovny <i>et al.</i> , "Intercerebral penetration of infrared light," <u>J. NEUROSURG.</u> , 2/92.
EA	S. Feng <i>et al.</i> , "Monte Carlo simulations of photon migration path distributions in multiple scattering media," <u>SPIE</u> , Vol. 1888, pp. 78-89. <u>NO DATE</u>

EXAMINER

EJL

DATE CONSIDERED

11/15/2003

EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

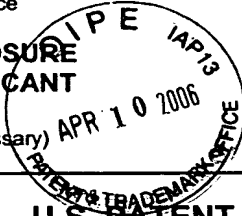
FORM PTO-1449 U.S. Department of Commerce
(Rev. 4/92) Patent and Trademark Office

ATTY. DOCKET NO.
500.34077CC3

SERIAL NO.
§53(b) of 09/203,610

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use several sheets if necessary)



APPLICANTS
Atsushi MAKI et al.

FILING DATE
6 July 2001

GROUP
Unassigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER								DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5	8	0	3	9	0	9	09/98	Maki et al.				
	6	1	2	8	5	1	7	10/00	Maki et al.				
	5	6	7	8	5	5	6	10/97	Maki et al.				
	5	7	7	2	5	9	7	10/98	Goldberger et al.				

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER								DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

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